

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

JASON NISSEN,

Defendant.

17 Cr. 477 (PAE)

PROTECTIVE ORDER

WHEREAS, this Court entered a Protective Order dated September 13, 2017 (the "Protective Order") providing for the protection of confidential documents provided to defendant Jason Nissen.

WHEREAS, the Protective Order provides that this Court may authorize the disclosure of documents to third parties.

WHEREAS, defendant Jason Nissen seeks authorization pursuant to the Protective Order to provide the documents listed in **Exhibit A** attached hereto (the "Documents") to third parties in a civil action in New York Supreme Court, Bronx County, Index No. 23427/2018 (the "Civil Action").

WHEREAS, the Documents do not include confidential documents provided by persons that are not parties to this action.

WHEREAS, the Documents exchanged in the Civil Action will be subject to a confidentiality stipulation and order and will not be publicly disclosed.

IT IS HEREBY agreed, by and between the United States of America, Geoffrey Berman, United States Attorney, by Douglas Zolkind, Assistant United States Attorney, on the one hand; and defendant Jason Nissen, by his attorney, Michael F. Bachner, Esq., on the other that:


1. Defendant Jason Nissen is hereby authorized to disclose the Documents to parties to the Civil Action provided that such documents shall not be publicly disclosed.
2. No party to the Civil Action may disclose any of the Documents produced to it to any other person, except to persons retained by either party specifically to assist in the Civil Action, including any paralegal, consultant or other form of administrative or expert assistance.


3. Prior to their receipt of the Documents, counsel to the parties to the Civil Action shall execute an agreement, in a form substantially similar to **Exhibit B** attached hereto, to comply with and be bound by the terms of this Order as well as the Protective Order.
4. Upon receipt of the Documents, the parties to the Civil Action shall ensure that the Documents are maintained in a safe and secure manner.
5. Within sixty (60) days after the final termination of the Civil Action by settlement or exhaustion of all appeals, all parties that have received the Documents shall return the Documents to defendant Jason Nissen or shall destroy the Documents. In the event that any party chooses to destroy the Documents, such party shall certify in writing within sixty (60) days of the final termination of the Civil Action that it has undertaken its best efforts to destroy the Documents, and that the Documents have been destroyed to the best of its knowledge.

Dated: New York, New York
June 10, 2019

Geoffrey Berman
United States Attorney
Southern District of New York


By:


Lata Pomerantz
Douglas Zolkind
Assistant United States Attorney


Michael F. Bachner, Esq.
Attorney for Defendant Jason Nissen

SO ORDERED:

June 20, 2019


HON. PAUL A. ENGELMAYER
United States District Judge
Southern District of New York